

U.S. Department of Justice  
United States Marshals Service

## PROCESS RECEIPT AND RETURN

See instructions for "Service of Process by U.S. Marshal"

PLAINTIFF United States of America		COURT CASE NUMBER C.A. No. 03-266E Mis. No. 04-3E	
DEFENDANT JAMES P. GERG and ROXANNE R. GERG		TYPE OF PROCESS ATTEND MARSHAL'S SALE	
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN ELK COUNTY COURTHOUSE			
SERVE AT ADDRESS (Street or RFD, Apartment No., City State and ZIP Code) CONFERENCE ROOM IN THE BASEMENT OF THE ELK COUNTY COURTHOUSE, MAIN STREET, RIDGWAY, PA 15853			
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW		Number of process to be Served with this Form 285	
NEW 285 Gary W. Darr, Esquire McGrath & Associates, PC 1500 Union Bank Building 306 Fourth Avenue Pittsburgh, PA 15222		Number of parties to be served in this case FILED 03 2005	
Check for service on U.S.A.			
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service): Please attend Marshal's Sale scheduled for August 22, 2005 at 11:00 a.m. The opening bid is \$37,500.00. CLERK U.S. DISTRICT COURT WEST. DIST. OF PENNSYLVANIA			
Signature of Attorney or other Originator requesting service on behalf of <i>Gary W. Darr</i>		TELEPHONE NUMBER (412) 281-4333	DATE August 16, 2005
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE			
I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve
Signature of Authorized USMS Deputy or Clerk			
I hereby certify and return that I <input checked="" type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.			
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)			
Name and title of individual served (if not shown above)		<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only if different than shown above)		Date 8/22/2005	Time 11
Signature of U.S. Marshal or Deputy <i>[Signature]</i>			
Service Fee 225.00	Total Mileage Charges including endeavors 96.25	Forwarding Fee	Total Charges 321.25
Advance Deposits		Amount owed to U.S. Marshal* or (Amount of Refund*)	

## REMARKS:

This form should replace the one previously sent to you.  
Thanks

PRIOR EDITIONS  
MAY BE USED

PRINT 5 COPIES:

1. CLERK OF COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please return promptly payable to U.S. Marshal.
5. ACKNOWLEDGEMENT OF RECEIPT

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the U. S. Court for the W. D. of PA at suit of the USA at Mis. No. 04-3E, I shall expose to public sale the real property of James P. Gerg and Roxanne R. Gerg known as 172 Hemlock Lane, Kersey, PA 15846, as described in the Deed recorded in the Office of the Elk County Recorder of Deeds on January 22, 1990 at Book Volume 265, page 804.

TIME AND LOCATION OF SALE: Monday, August 22, 2005 at 11:00 A.M. in the Conference Room located in the Basement of the Elk County Courthouse, Main Street, Ridgway, PA 15853.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check and the remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Thomas Fitzgerald, United States Marshal. For information call Mr. Kristen Good at 724-482-4800.

AT THE TIME OF THE SALE, THE SUCCESSFUL PURCHASER OF THE PROPERTY MUST PROVIDE THE MARSHAL WITH THE EXACT NAME OF THE GRANTEE WHICH IS TO APPEAR ON THE MARSHAL'S DEED, NO SUBSEQUENT REVISIONS TO THE GRANTEE'S NAME WILL BE PERMITTED.